

RESOLUTION AUTHORIZING THE ACQUISITION AND IMMEDIATE POSSESSION OF CERTAIN REAL PROPERTY THROUGH THE STATUTORY CONDEMNATION PROCESS IN FURTHERANCE OF THE CONSTRUCTION OF THE CRYSTAL VALLEY PARKWAY INTERCHANGE PROJECT

SEPTEMBER 7, 2021



CONDEMNATION PROCESS

What happens when the Town is unable to reach an agreement with Landowner

- Non-responsive Owner
- Owner's counter-offer not supported

Town Council Intervention

- Advised of negotiations
- On Town Council agenda
- Owner may address Council
- Council votes on authorizing Petition in Condemnation

CURRENT STATUS

- Town obtained eminent domain authorization under Ordinance 2019-008
- Town and Property Owner are \$755,100 apart
- No response received after the September 2020 final offer
- Disparity between assessments of the fair market value
- Condemnation will allow Court-appointed commission or jury to determine fair market value of the property
- Enable the Town to acquire possession of the property interest at the outset of the legal process
- Eminent domain of property required to timely proceed with the Crystal Valley Parkway Interchange Project



RECOMMENDATION

- Town wishes to proceed with eminent domain on property owned by Sheldon G. Boone Testamentary Family Trust & the Margaret D. Boone Living Trust
- Petition in Condemnation will be filed with Douglas County District Court
- Immediate possession of property interests



THANK YOU

"I MOVE TO APPROVE THE RESOLUTION AS INTRODUCED BY TITLE."